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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,981	11/24/2003	Neil H. Muyskens	KARISMA.004A	3375
20995 7590 06/15/2007 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			EXAMINER DINH, DUC Q	
			ART UNIT 2629	PAPER NUMBER
			NOTIFICATION DATE 06/15/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
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Office Action Summary	Application No. 10/720,981	Applicant(s) MUYSKENS ET AL.	
	Examiner DUC Q. DINH	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
- 4a) Of the above claim(s) 31-65 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19 is/are allowed.
- 6) ☒ Claim(s) 20-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>03/01/04;06/21/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 20-24 and 26-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Amari et al. (U.S Patent No. 6,535,202).

In reference to claim 20, Amari discloses in Figs 1-4 an apparatus comprising:

a display (19a) having a display surface (21) and a display perimeter surrounding the display surface (frame 26 which is pressed down the outer circumference part of the rubber 25 from upward; and above the face cover 20...; col. 4, lines 28-31),

wherein the display comprises a plurality of display regions (plurality of display regions 21 as shown in Fig. 3);

a sidewall (26, Fig. 4) positioned along at least a portion of the display perimeter, the sidewall extending to a sidewall pivot line;

a plurality of key actuators (24; Fig. 4) which are clear at least in part, wherein each of the key actuators are associated with and positioned adjacent to one of the plurality of display regions (21) so that at least a portion of a corresponding display region is viewable through a corresponding key actuator (col. 4, lines 52-60); and

a plurality of switches (23), wherein each of the switches is associated with one of the plurality of key actuators, such that moving the key actuator closer to the display causes the switch to be activated (see Fig. 2; col. 5, line 64 – col. 6, line 4).

In reference to claim 21, Amari discloses wherein the switches form a portion of a flexible membrane assembly mounted adjacent to the display, the flexible membrane assembly having a plurality of conductive circuit paths (23) formed thereon.

In reference to claim 22, Amari discloses wherein the display comprises a plurality of selectable pixels (21 as shown in Fig. 1).

In reference to claim 23, comprising a backlight configured to provide display illumination (the display 19 is a LCD which inherently having a backlight to provide information display on specific key to a transparent window; col. 2, lines 28-40; col. 6, lines 41-46).

In reference to claim 24, Amari discloses a backlight configured to generate supplemental illumination (see rejection of claim 23); and a reflector configured to reflect light generated by the backlight onto at least a portion of the display (the surface of the case 22 is colored into black by black chromate coating treatment as a kind of metal plating. This treatment is to prevent effectively reflection of a visible light; col. 4, lines 40-44; col. 5, lines 20-29).

In reference to claim 26, Amari discloses, wherein the switches comprise depressible dome switches (23a; Fig. 2) that are activated when depressed (col. 6, lines 48-51).

In reference to claim 27, Amari discloses, wherein the key actuators are substantially transparent (col. 4, lines 52-58)

In reference to claim 28, Amari discloses wherein the display comprises a liquid crystal display (col. 2, lines 28-30).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amari in view of Calvillo et al. hereinafter Calvillo (U.S Patent No. 5,340,955).

In reference to claim reference to claim 25, Amari does not disclose the switches are configured to created an audible sound when activated. Calvillo discloses a annunciator 21 which sounds whenever a switch 22 is activated.

It would have been obvious for one of ordinary skill in the art at the time of the invention to provide the annunciator in the device of Amari as taught by Calvillo to give an audio feedback indicating a key have been activated (col. 3, lines 51-56).

In reference to claim 21, Calvillo discloses wherein the switches form a portion of a flexible membrane assembly mounted adjacent to the display, the flexible membrane assembly having a plurality of conductive circuit paths formed thereon (col. 3, lines 26-36).

5. Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amari in view of Adpa (U.S Patent No. 5914,676).

In reference to claim 29, Amari discloses a processor wherein the switches are configured to provide a signal to the processor when activated and a processor is configured to provide

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display data to the display. Akpa discloses processor 14 to provide a signal to the processor when activated (see Figs. 3-4, col. 2 lines 55-64).

It would have been obvious for one of ordinary skill in the art at the time of the invention to provide the processor in the device of Amari to receive inputs from keys and generate different label for the keys which has a display device because it would provide a convenient way to relabel the special purpose keys.

Allowable Subject Matter

6. Claim 1-19 are allowed.

7. The following is an examiner's statement of reasons for allowance: none of the cited art teaches or suggests:

A keypad comprising:

a display apparatus having a display surface and a display perimeter surrounding the display surface;

a sidewall positioned along at least a portion of the display perimeter, the sidewall extending above the display surface to a sidewall pivot line;

a key actuator having a short arm and a long arm, wherein the key actuator contacts the sidewall pivot line, thereby allowing the key actuator to rotate about the sidewall pivot line; and

a switch positioned adjacent the key actuator short arm, such that when a force is applied to move the key actuator long arm toward the display, the key actuator rotates about the sidewall pivot line and the key actuator short arm engages the switch.

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Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUC Q. DINH whose telephone number is (571) 272-7686. The examiner can normally be reached on Mon-Fri from 8:00.AM-4:00.PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD HJERPE can be reached on (571)272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DUC Q DINH
Examiner
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